

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

M. SHANKEN COMMUNICATIONS, INC.,

Plaintiff,

– against –

CIGAR500.COM INC. AND ANTHONY  
MASCIANGELO,

Defendants.

07-Civ.-7371 (JGK)

**NOTICE OF MOTION OF ORRICK, HERRINGTON & SUTCLIFFE LLP  
TO WITHDRAW AS COUNSEL TO DEFENDANT CIGAR500.COM INC.**

PLEASE TAKE NOTICE THAT Orrick, Herrington & Sutcliffe LLP will and hereby does move this Court, before the Honorable John G. Koeltl, Courtroom 12B, United States Courthouse, 500 Pearl Street, New York, New York, at a date and time convenient for the Court, for an Order, pursuant to Local Civil Rule 1.4 of the Rules of the United States District Courts for the Southern and Eastern Districts of New York, granting the withdrawal of Orrick, Herrington & Sutcliffe LLP as attorneys of record for defendant Cigar500.com Inc. The motion is made and based upon the accompanying Declaration of Lisa T. Simpson, Esq. and Memorandum of Law in Support of the Motion to Withdraw on the grounds of nonpayment of fees.

Dated: New York, New York  
August 14, 2008

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: 

Lisa T. Simpson, Esq.

666 Fifth Avenue

New York, New York 10103

(212) 506-5000

Attorneys for Defendant Cigar500.com Inc.